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SUMMARY RECORD OF THE 291st MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 21 May 1996, at 3 p.m.

Chairperson: Mrs. BELEMBAOGO

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Lebanon (CRC/C/8/Add.23) (continued)

1. The CHAIRPERSON invited the delegation of Lebanon to reply to the questions raised by members of the Committee.

2. Mrs. GEORGIADIS (Lebanon) said that there were plans to introduce schooling allowances. There were not enough State schools for all the children in Lebanon. However, programmes had been introduced to provide training for children and for women so that they could supplement the famil income. With regard to the question on discrimination against poor childre it was true that the children of higher-income families had greater access to medical assistance. Children whose families were not members of an independent medical insurance scheme were entitled to health care provided through cooperation between Lebanon and the World Health Organization (WHO)

3. It was true that it was often difficult for disabled children to atte private schools, many of which were simply not equipped to cope with childr with disabilities. However, in the State school system, disabled children were being integrated with other children in years 1 and 2. From year 3 onwards they were given more specialized education by specially trained people. New structures specifically designed to improve the situation of disabled children would be introduced as of 1997.

4. With regard to public information on health, mothers were advised, as matter of course, to breast-feed their children and the Government had bann television advertising of substitute milk products. Many women gave birth home with the assistance of highly trained midwives. Unfortunately, there were no statistics on the number of births in maternity hospitals. Althoug the AIDS education programme was targeted mainly at women, television programmes and posters were also used to raise men's awareness of the problem.

5. With regard to chastity in women, she said that the situation varied according to social class and traditions. It was taken for granted that wo would be chaste but if they were not they were not punished. Prenuptial examinations referred to by a member of the Committee were compulsory.

6. Miss MASON asked about the role and use of traditional medicines in Lebanese society, given the general population's lack of access to health c and hospitals.

7. Mrs. GEORGIADIS (Lebanon) said that traditional medicine was not wide practised in Lebanon, not least because there were no doctors specializing that kind of treatment.

8. Mrs. KARP asked about the ethical rules regarding abortions for medic reasons in a society in which abortion was strictly prohibited.

9. Mrs. GEORGIADIS (Lebanon) said that abortion was prohibited by law. However, in cases where the pregnancy endangered the life of the mother or the child abortion was a possibility. There was no legal provision relating to that situation; it was left to the discretion of the doctor. Certain hospitals refused to carry out abortions under any circumstances.

10. The CHAIRPERSON invited the delegation of Lebanon to reply to the Committee's questions on education, leisure and cultural activities contained in paragraphs 28 to 31 of the list of issues (CRC/C.11/WP.7).

11. Mr. KHALIL (Lebanon) said that, although education was free in Lebanon, there were too few State schools. The Ministry of Education was in the process of restoring schools that had been destroyed or damaged during the war and intended to ensure that schools were located around the country to improve access to education. Under Decree No. 22 of October 1995, education would be compulsory for children up to the age of 12. There were also plans to raise the age-limit to 15. Compulsory schooling was one aspect of the programme to encourage education introduced by the Centre for Resources and Development, which worked closely with the Ministry of Education. Other aspects of the programme included education on the environment and emphasis on the role of the family in Lebanon. The Decree on compulsory education was, however, awaiting adoption. The school curriculum was being expanded to include chemistry and mathematics. Education in Lebanon comprised three levels. The first lasted for six years and the second and third for three years each. The Ministry of Social Affairs had set up the National Literacy Committee in an effort to combat illiteracy in Lebanon.

12. The Ministry of Social Affairs had begun to set up free centres in villages so that poorer people could enjoy greater access to leisure and cultural facilities. Organizations such as the YMCA were also setting up free camps around Lebanon. However, much still remained to be done.

13. Mr. HAMMARBERG said that UNICEF reports indicated that the education plan had not been implemented. He asked whether the problem was linked to finance, as had been intimated in other reports. It seemed that Lebanon's private schools tended to attract higher quality teachers, which inevitably meant that levels of teaching were higher in private schools. He asked what measures could be taken to improve the situation to the benefit of State schools. Statistics indicated that there was a high drop-out rate in secondary education. He invited the delegation to comment. He also asked what measures were being taken to introduce the Convention into the school curriculum, especially at the primary level.

14. Mrs. KARP asked to what extent children were involved in decisions on curricula. Did they take part in disciplinary proceedings and have the chance to air their opinions on school issues?

15. Mr. KHALIL (Lebanon) said that the education development plan had not been fully implemented. However, in recent months efforts had been made to restore public education institutions and introduce an education programme.

16. State schools could not be condemned out of hand as some of them had a very good record and the same teachers were sometimes employed in both State and private schools. Many of the problems lay with the management and administration of State schools and staff shortages. Lebanon was proud of the cultural and educational level of Lebanese women.

17. The Centre for Research and Development was trying to raise the issue of introducing the Convention into the school curriculum. Plans were afoot to produce a book on the rights of the child, based on the Convention. The project would go ahead as soon as additional funding was available.

18. Pupils were involved in school life, particularly in private schools where class prefects were elected to represent their fellow pupils and take part in decision-making processes on matters that concerned them. Extramural activities depended on the size of the school.

19. Miss MASON asked about the ratio of men to women teachers in schools, the attitude to teaching in Lebanon, and whether there were parent-teacher associations.

20. Mr. KHALIL (Lebanon) said that there was a commission made up of parents and teachers whose members were elected by teachers and pupils. It worked with school administrations in preparing study programmes and monitored schools' finances. Parent-teacher associations had existed before the war. Since then, however, they had fallen into disarray. Private schools usually had social workers or other professionals on hand to help with pupils' problems. Teachers enjoyed full trade-union freedom, including the right to strike. A council made up of six elected members plus observers represented all parents in Lebanon. Its main responsibility was to monitor the financial situation of schools.

21. Miss MASON noted the high drop-out rate and low level of enrolment in Lebanese schools and asked what measures were being taken to encourage school attendance.

22. Mr. KHALIL (Lebanon) replied that there were some programmes organized with the help of the Food and Agriculture Organization of the United Nations (FAO) to feed children in school, but that most State schools did not normally provide meals to pupils. Lebanese schools did offer a broad education, in various combinations of Arabic, French and English. Drop-outs from school took place mainly at secondary level: 96 per cent of Lebanese children received primary education.

23. The CHAIRPERSON invited the Committee to take up the question of special protection measures dealt with in paragraphs 32 to 41 of the list of issues (CRC/C.11/WP.7).

24. Mr. KHALIL (Lebanon) said that for historical and geographical reasons, the Lebanese Government gave special attention to Palestinian refugees, and had received no non-Palestinian refugees for some time. Nevertheless, it was working to establish procedures for dealing with non-Palestinian refugees.

25. The Lebanese army had removed all land-mines from the lines separating parties during the war, although there had been some unfortunate accidents and there were still land-mines in southern Lebanon. A special disabled-persons service had been set up to help victims of anti-personnel land-mines.

26. The largest programme aimed at alleviating the suffering of children had been the Education For Peace Programme implemented by UNICEF in cooperation with the relevant ministries and civil associations. No up-to-date figures were available on the number of children helped by the programme. Various social programmes aimed at alleviating the effects of war and preventing delinquency had been initiated by the Ministry of Social Affairs and were specifically aimed at poor families.

27. With regard to the "deprivation of liberty" referred to in paragraph 35 of the list of issues (CRC/C.11/WP.7), he said that children were not detained or imprisoned in Lebanon. Children under the age of 8 were kept in institutions, and older children were kept in rehabilitation centres, not prisons. No figures on the number of children in such centres were available. Child vagrants between the ages of 7 and 12 were not incarcerated; only if their families were unable to look after them adequately were they taken into care. Funds were needed to finance such care, especially in the case of girls. As a result of the lack of accommodation in rehabilitation centres, some children had had to be placed in adult prisons, where they were segregated in special sections. There were plans to build rehabilitation centres with training and sports facilities for children.

28. There were five juvenile courts in Lebanon, each presided over by special judges who dealt only with children. Lawyers were nominated by the court to represent children, and anyone else who could not afford to hire one. There were as yet no special training courses for the judges or lawyers in juvenile courts, although they took part regularly in seminars.

29. Only two detention centres were available to house juvenile delinquents. Social workers visited them regularly to ensure their welfare. The centres were guarded and no child had ever escaped from one, but they were not prisoners; parents and others, including psychologists and students of psychology, were allowed to visit the children. Health care and education were made available in the centres, although the education, managed by a non-governmental organization, was incomplete. Children had opportunities to learn woodwork, metalwork and other trades. Delinquents could be pardoned if they were considered to have been rehabilitated during their stay in the corrective institution. Staff were aware of the Convention on the Rights of the Child. He wished to stress that juvenile delinquency was a major concern of the Lebanese Government.

30. No child was arbitrarily deprived of his or her liberty, and could seek redress under the law if detained for longer than 48 hours. Every child had the right to challenge the legality of the deprivation of his or her liberty, and there were special surveillance centres where children were taken to be arrested.

31. The Committee would be kept up to date on the move in Lebanon to raise the minimum age for employment to 14 and on the Government's contacts with the International Labour Organization (ILO).

32. The measures envisaged to protect child workers included introducing compulsory education and sanctioning parents who did not cooperate. To combat exploitation outside school hours, the number of inspectors at the Ministry of Labour had been increased from 20 to 105, and their powers had been extended. If the budget allowed for it, they would be able to work at night as well as during the day.

33. Mr. HAMMARBERG said that the Lebanese Government painted a very positive picture of the situation in Lebanon, but NGOs and other witnesses painted a very different one. Palestinian refugees had been deprived of social and economic rights, which could not fail to have an impact on children. Not surprisingly, many delinquents were Palestinian, and social workers were worried about prostitution and drug abuse among them. He wanted to know what the Lebanese Government considered to be its obligations towards Palestinian children. Despite an agreement between the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the Government to reserve some hospital beds for the poor, secondary and tertiary health care for the refugees was inadequate; nor was adequate secondary education provided.

34. He asked whether the Lebanese Government intended to ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. As matters stood, refugees other than Palestinian refugees were not recognized in Lebanon. He also asked what the Lebanese Government intended to do about the many Syrian street children in Beirut, and whether southern Asian guest workers enjoyed any legal protection.

35. On the question of juvenile justice, reports from NGOs suggested that children were not always kept separate from adult prisoners, particularly in the case of girls, and that there were shortcomings in health provisions, educational programmes and vocational training inside prisons. NGOs also reported that some under-18s had been held in custody for up to two years before being brought to trial. The Convention clearly indicated that pre-trial custody should be resorted to only in extreme cases, and then for the shortest possible time.

36. It appeared that army intelligence had been given the task of supervisin prisoners, and there was one special section in some prisons for women and children. He asked for clarification on those points, possibly in the form of a written answer, as army intelligence did not seem the most appropriate group to be supervising children, and as children were supposed to be segregated from adult prisoners.

37. Mr. KOLOSOV said that there were numerous contradictions in the report with regard to the juvenile justice system. Paragraph 120 of the report, for example, stated that no one under 18 years of age is considered criminally responsible, whereas paragraph 121 stated that "criminal charges may not be brought against anyone under 7 years of age"; in paragraph 34 it was stated that "no minor under 7 years of age can be legally sued or penalized when he

or she commits a crime or violates the law in any way" and in paragraph 35 that "Protective and supervisory measures are imposed on children under 12 in the event of their committing a crime"; paragraph 36 stated that "Disciplinary and reformative measures are imposed on criminal children between 12 and 15", while paragraph 122 referred to "Detention in a reformatory" and "Reduced criminal sentence (for children over 12)". Furthermore, paragraph 125 of the report stated that "Lebanese law prohibits the detention of children 7-12 who may commit unlawful acts, unless they are vagrants", paragraph 126 that "it is not permitted by law to lock up children between 12-18 with adults", paragraph 135 (a) that "no criminal charges can be taken against a child under 15" and paragraph 135 (c) that "if a young person over 15 and younger than 18 commits a criminal act punishable by death or life sentence with hard labour, he shall be detained from 5-15 years". Considerable clarification was needed if the Committee was to arrive at meaningful conclusions and recommendations.

38. The Lebanese delegation claimed that there were virtually no cases of children held in detention, whereas other sources claimed the contrary. A team which had recently visited Lebanon reported that children were being held in prison in appalling conditions, in some cases without having been sentenced.

39. Mrs. KARP said she would welcome information concerning the status of the programmes and plans to provide new detention facilities and to implement legislation regarding juvenile courts. She asked whether the Association for the Protection of Young People was part of the juvenile justice system and was present at all proceedings concerning juveniles throughout Lebanon. She would also like to know whether it was subsidized by the Government and what powers it had, if any.

40. Mrs. EUFEMIO said that she would welcome information concerning the position of the Government with regard to alien children who lived in Lebanon and were exploited in the labour market. In that connection, she drew attention to paragraph 154 of the report, which stated that "In Lebanon there are a number of aliens who are imported for a fee to serve as hired help in homes and other menial jobs. Some of these are maltreated. Others are brought in as barmaids and showgirls who are exploited by their impresarios". What was being done to help?

41. Mr. KHALIL (Lebanon) said that his delegation had no knowledge of the source referred to by Mr. Kolosov. His Government would be happy to extend an invitation to the members of the Committee to travel to Lebanon and to see for themselves what was the actual situation there. The truth was often very tragic because of the war that had been imposed on Lebanon by others and his Government was seeking to improve the country's human and social conditions.

42. With regard to the assistance given to non-Lebanese children, the budget available in his country was not sufficient even for Lebanese children. The Ministry of Health was attempting to remedy the situation but did not have sufficient funds to do so.

43. The people referred to in paragraph 154 of the report were adults who had come of their own free will. Even if sexual exploitation occurred, however, the police could not intervene unless a complaint had been lodged.

44. The information requested by Mr. Hammarberg would be sent to the Committee in writing.

45. As for the detention of minors, he reiterated that one establishment catered for 25 young people and another, catering for 80, had recently opened. Others were detained in special areas within an adult prison. He acknowledged that there was a shortage of rehabilitation and reform institutions and of special institutions for young people awaiting trial. The Association for the Protection of Young People was a private organization that held contracts with the Ministry of Social Affairs. The president of the Association also headed the Juvenile Court. Its role under the law was to protect children; delegates from the Association visited young people in institutions and supervised their behaviour.

46. Mr. HAMMARBERG said that there was much to applaud in the measures that Lebanon had taken, such as the various studies that were being conducted, the training courses for teachers and others, the National Plan of Action and the establishment of the Higher Council for Childhood. There was, however, room for improvement. The collection of data should be put on a more systematic footing; the experience of other countries should be studied before it was decided what system to adopt. Secondly, the position of the Higher Council was to some extent anomalous, containing as it did representatives from all the relevant ministries and from non-governmental organizations. There was a danger that the roles of such representatives might overlap or, conversely, leave unfilled gaps. The composition of the Council also meant that it could not properly fulfil the function of an ombudsman, since that would involve its monitoring itself. A completely independent person or body was required for such monitoring.

47. He was concerned at the growing gulf between children with access to private health care and those without; that some children were thus left disadvantaged ran counter to article 2 of the Convention. An adequate follow-up to the aims expressed in the National Plan of Action was essential for dealing with the problems of the most vulnerable groups of children. It might be unrealistic to expect 20 per cent of the budget to be allocated to social priorities, but that should be the aim. The Government should review its obligations to children in the light of the international commitments that it had made.

48. More specifically, the Government should tackle the problems of youth delinquency, the growing numbers of children living in the street and drop-outs from secondary education, which could all become major problems if not dealt with speedily. There was, indeed, a strong case for a more comprehensive social policy and also for the provision of more playgrounds, outdoor activities and culture for children.

49. It would be helpful to have written replies on the matter of children under 18 who were kept in detention so that the Committee had a basis for making useful recommendations. Article 3 was a key part of the Convention,

which many Governments found difficult to incorporate into their legislation. Lebanon was no exception. Legal procedures should have a child perspective, the children themselves - or those close to them - should be involved in legal discussions and, above all, each case should be approached on an individual basis.

50. Mrs. EUFEMIO concurred that efficient data collection was needed. She suggested that indicators should be developed for every article of the Convention, along the lines of those in the National Plan of Action; it would be a good way of measuring the effectiveness of Lebanon's implementation of the Convention and would enable research to be carried out before pilot projects were introduced. To that end she also urged that Lebanon should set itself a time-frame for implementation, as it had for its health and education targets.

51. An effective programme of psychosocial recovery and reintegration was essential. It was sometimes thought that if children who had experienced armed conflict showed no obvious signs of trauma, no treatment was needed. That was not the case: unseen emotions, below the surface, were often more threatening to the child's well-being. With regard to social welfare and education, she said that the Government should play a bigger part in setting up an adequate system. Non-governmental organizations should not be expected to carry the full burden.

52. Mrs. KARP, while welcoming the extension of compulsory education, the increased number of child-labour inspectors, the policy of decentralizing services and the effort to eliminate the external stigma of illegitimacy, noted that the delegation had given as its priorities the problems of juvenile delinquency and street children. She would add the problem of domestic violence and sexual abuse in families, matters which might be so little referred to that even those most closely involved might not see them as a priority. She urged Lebanon, however, to find a comprehensive answer to the problem, since therein lay many violations of children's rights.

53. Miss MASON, reminding the delegation that the Committee's purpose in inquiring about organizations dealing with children was to improve the lot of children both in Lebanon and elsewhere, said that areas in which Lebanon should take further measures were: non-discrimination on the grounds of nationality; children's rights of free association and peaceful assembly; the deinstitutionalization of children in the bottom stratum of society; the redefinition of childhood in legislative terms, especially as it applied to children in the workforce or children in early marriage; sexual abuse; and incest. With regard to early marriage, she recognized that it was for religious leaders to take the initiative, but change was essential, given the high rate of mother and child mortality in such cases.

54. Mr. KOLOSOV said that, if the Committee appeared demanding, that was because it was the only international body speaking for children. If its written recommendations seemed hard, they would only be building on the admirable self-criticism contained in Lebanon's own report, which, among other deficiencies, had noted the problems of early marriage - with its attendant dangers of early death, too many pregnancies and an excessive proportion of

births of retarded children - as well as the absence of a general educational policy and the shortage of personnel following the war years. He looked forward keenly to real progress in the report due in 1998.

55. The CHAIRPERSON said that Lebanon should be given technical assistance by the Centre for Human Rights, especially in compiling statistics that would be useful for monitoring the implementation of the Convention.

56. Ms. GEORGIADIS (Lebanon) welcomed the Committee's remarks, even when critical. Her country was aware of its shortcomings, but it was useful to be made aware of how the Committee saw it. Lebanon's real problem was the lack of funds, but it would continue to strive to do its best for its children, who had suffered greatly in the war years.

The meeting rose at 6 p.m.